

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No. 364 of 1998

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

SANTALPUR KHODA DHOR PANJAPOLETHROUGH HONORARY TRUSTEE

Versus

HASAMBHAI AMADBAHI RAMADIA

Appearance:

MR NS SHETH for Petitioner
MR MM TIRMIZI for Respondent No. 1
MR SR DIVETIA APP for Respondent No. 2

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 02/07/98

ORAL JUDGEMENT

Rule returnable today. Learned advocate Mr. Tirmizi appears and waives service of rule on behalf of respondent No. 1. Learned APP Mr.Divetia appears and waives service of rule on behalf of Respondent No.2 State.

2. Heard learned advocate for the parties. On the facts and in the circumstances of the case, the impugned judgment and order passed by the learned Judicial Magistrate First Class, Radhanpur on 31st March, 1998, on application made by the accused in the offence registered as II-CR No. 41/98 in Varahi Police Station, for interim possession of the muddamal property is quashed and set-aside. Application is remanded to the learned Magistrate for fresh consideration, after hearing the petitioner herein. Application is allowed to the aforesaid extent only. Rule is made absolute. There shall be no order as to costs.

Prakash*